

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

FILED
IN COURT
ASHEVILLE, N.C.

DEC 07 2007

U.S. DISTRICT COURT
W. DIST. OF N.C.

CRIMINAL NO. 1:07CR119

FILED
ASHEVILLE, N.C.

APR 30 2008

U.S. DISTRICT COURT
W. DIST. OF N.C.

UNITED STATES OF AMERICA,)
)
Plaintiff,)
v.)
)
IMRAN ALAM)
)
Defendant.)

**CONSENT ORDER AND
JUDGMENT OF FORFEITURE**

WHEREAS, the defendant, IMRAN ALAM, has entered into a plea agreement (incorporated by reference herein) with the United States and has voluntarily pleaded guilty pursuant to Federal Rule of Criminal Procedure 11 to one or more criminal offenses under which forfeiture may be ordered;

WHEREAS, the defendant and the United States stipulate and agree that the property described below constitutes property derived from or traceable to proceeds of the defendant's offense(s) herein; property involved in the offenses, or any property traceable to such property; and/or property used in any manner to facilitate the commission of such offense(s); and is therefore subject to forfeiture pursuant to 18 U.S.C. § 924(d), 18 U.S.C. § 982, 18 U.S.C. § 1955(d), 21 U.S.C. § 853, 18 U.S.C. § 2253, 26 U.S.C. § 5872, and/or 28 U.S.C. § 2461(c);

WHEREAS, the defendant herein waives the requirements of Federal Rules of Criminal Procedure 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant;

WHEREAS, pursuant to Federal Rules of Criminal Procedure 32.2(b)(1) & (c)(2), the Court finds that there is the requisite nexus between the property and the offense(s) to which the defendant has pleaded guilty and/or that a personal money judgment in the amount of criminal proceeds may be entered and that the defendant has a legal interest in the property;

WHEREAS, the undersigned United States Magistrate Judge is authorized to enter this Order by the previous Order of this Court No. 3:05MC302-C (September 8, 2005).

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

The following property is forfeited to the United States:

All title and interest in the following real property:

a) Property known as Leicester General Store, and found in Buncombe County Deed Book 3428, Page 419, North Carolina;

b) Property located at 482 Deaverview Road, Asheville, North Carolina, and found in Buncombe County Deed Book 4302, Page 0404;

c) Property located, ^{formerly} known as ISI Quick Trip located on Brevard Road, Asheville, North Carolina, and found in Buncombe County Deed Book ~~4167~~, Page ~~223~~.
3501 at page 436

A personal money judgment of forfeiture in the amount of \$1,677,381.00, shall be included in the sentence of the defendant, and the United States Department of Justice may take steps to collect the judgment from any property, real or personal, of the defendant, in accordance with the substitute-asset provisions of 21 U.S.C. § 853(p).

The United States Marshal and/or other property custodian for the investigative agency is authorized to take possession and maintain custody of the above-described tangible property.

Upon the seizure of any property to satisfy all or part of the judgment, the United States shall, to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the seized property, and shall publish notice of this forfeiture as required by 21 U.S.C. § 853(n) and the aforementioned Order of this Court No. 3:05MC302-C (September 8, 2005).

Any person, other than the defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest.

Following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered, as provided by Fed. R. Crim. P. 32.2(c)(2). If no third party files a timely petition, this order shall become the final order and judgment of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.

GRETCHEN C. F. SHAPPERT
UNITED STATES ATTORNEY

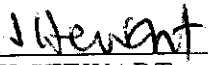
Corey T. Ellis

RICHARD EDWARDS

for


Assistant United States Attorney


IMRAN ALAM
Defendant


JACK STEWART
Attorney for Defendant

Signed this the 7th day of December, 2007.


DENNIS L. HOWELL
UNITED STATES MAGISTRATE JUDGE

This Order dated December 7, 2007 was reviewed in open court in the course of defendant's sentencing hearing on April 30, 2008. The parties agree that the Order as entered on December 7, 2007 contained an inadvertent error in paragraph (c) on page 2. Specifically, paragraph (c) incorrectly identified the Deed Book & page number for the property. I have crossed out the incorrect Deed Book & page numbers & inserted the correct Deed Book & page numbers. The parties represent & agree that the Deed Book & page numbers I have inserted correctly identify the property to be forfeited in paragraph (c). I have reviewed & confirm all other aspects & provisions of the Order & DIRECT that this Order, as amended, be made a part of the judgment & commitment order.  03/05/08